

EXHIBIT A



**Service of Process
Transmittal**

03/31/2022

CT Log Number 541326480

TO: Laura Aznavoorian, Litigation Supervisor
Gallagher Bassett Services, Inc.
1901 S. Meyers Rd, Suite 200C
Oakbrook Terrace, IL 60181

RE: **Process Served in California**

FOR: Costco Wholesale Corporation (Domestic State: WA)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Re: SARA ORTIZ // To: Costco Wholesale Corporation

DOCUMENT(S) SERVED: --

COURT/AGENCY: None Specified
Case # 30202201251578CUPOJC

NATURE OF ACTION: Personal Injury - Failure to Maintain Premises in a Safe Condition

ON WHOM PROCESS WAS SERVED: C T Corporation System, GLENDALE, CA

DATE AND HOUR OF SERVICE: By Process Server on 03/31/2022 at 12:16

JURISDICTION SERVED : California

APPEARANCE OR ANSWER DUE: None Specified

ATTORNEY(S) / SENDER(S): None Specified

ACTION ITEMS: CT has retained the current log, Retain Date: 03/31/2022, Expected Purge Date: 04/15/2022

Image SOP

Email Notification, Laura Aznavoorian laura_aznavoorian@gbtpa.com

Email Notification, Zois Johnston zjohnston@costco.com

Email Notification, Maureen Papier maureen_papier@gbtpa.com

REGISTERED AGENT ADDRESS: C T Corporation System
330 N BRAND BLVD
STE 700
GLENDALE, CA 91203
866-665-5799
SouthTeam2@wolterskluwer.com

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.



PROCESS SERVER DELIVERY DETAILS

Date: Thu, Mar 31, 2022
Server Name: Gina Kazakian

| | |
|---------------|------------------------------|
| Entity Served | COSTCO WHOLESALE CORPORATION |
| Case Number | 30202201251578CUPOCJC |
| Jurisdiction | CA |

| | | |
|---------|--|--|
| Inserts | | |
| | | |



SUMMONS
(CITACION JUDICIAL)

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):

Costco Wholesale Corporation; and DOES 1 to 25, Inclusive

YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):

Sara Ortiz

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case.

AVISO! *Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.*

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.suerte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.suerte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:

(El nombre y dirección de la corte es): Orange County Superior Court

Central Justice Center

700 W. Civic Center Dr., Santa Ana, California 92701

CASE NUMBER:
(Número del Caso): 30-2022-01251578-CU-PO-CJC

Judge Deborah Servino

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Daniel Gilbert; Gilbert & Stern LLP, 1888 Century Park E., Ste.1550, Los Angeles CA 90067; 310.553.0350

DATE: 03/24/2022 DAVID H. YAMASAKI, Clerk of the Court
(Fecha)

Clerk, by
(Secretario)

Katie Trent

, Deputy
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)). *Katie Trent*

NOTICE TO THE PERSON SERVED: You are served

1. as an individual defendant.
2. as the person sued under the fictitious name of (specify):

3. on behalf of (specify): **Costco Wholesale Corporation**

under: CCP 416.10 (corporation) CCP 416.60 (minor)
 CCP 416.20 (defunct corporation) CCP 416.70 (conservatee)
 CCP 416.40 (association or partnership) CCP 416.90 (authorized person)
 other (specify):

4. by personal delivery on (date):



GILBERT & STERN LLP
1888 CENTURY PARK EAST, SUITE 1550
LOS ANGELES, CALIFORNIA 90067
Phone: (310) 553-0350
Fax: (310) 553-0390
3 DANIEL M. GILBERT, State Bar No. 216424
4 KELLEY J. LAZAROVITS, State Bar No. 251627

6 ATTORNEYS FOR PLAINTIFF
SARA ORTIZ

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE, CENTRAL JUSTICE CENTER

11 SARA ORTIZ,) Case No.: 30-2022-01251578-CU-PQ-CJC
12 Plaintiff,)
13 v.) **COMPLAINT FOR DAMAGES**
14) **(PERSONAL INJURY)**
15 COSTCO WHOLESALE CORPORATION;)
16 and DOES 1 to 25, Inclusive,) **1. NEGLIGENCE**
17) **2. PREMISES LIABILITY**
18 Defendants.) **DEMAND IS OVER \$25,000**
) **Assigned for All Purposes**
) **Judge Deborah Servino**

19 COMES NOW PLAINTIFF SARA ORTIZ, and for causes of action against defendants,
20 and each of them, complains and alleges as follows:

GENERAL ALLEGATIONS

1. Plaintiff SARA ORTIZ, a natural person, is, and all times herein was a resident of
the County of Orange, State of California.

24 2. Plaintiff is informed and believes, and based thereon alleges, that defendant
25 COSTCO WHOLESALE CORPORATION is an entity organized in the State of Washington and
26 was doing business in California with a place of business located in the County of Orange at all
27 times herein mentioned.

28 //

1 3. The true names and capacities, whether individuals, corporate, associate or
2 otherwise, of the defendants, DOES 1 through 25, inclusive, are unknown to plaintiff, who
3 therefore sues such defendants by such fictitious names, and plaintiff will amend this Complaint to
4 show their true names and capacities when the same have been ascertained. Plaintiff is informed
5 and believes and thereon alleges that each of the defendants designated herein as DOES are
6 responsible under law in some manner and liable herein by reason of negligence, wanton and
7 reckless misconduct, respondeat superior, strict liability, and in other manner, and by such
8 wrongful conduct proximately caused the events and happenings herein referred to and proximately
9 thereby caused the injuries and damages to Plaintiff as alleged herein.

10 4. Plaintiff is informed and believes, and based thereon alleges, that at all times
11 mentioned herein, each defendant, whether designated by name or as a DOE, was the agent,
12 servant, and employee of each of the remaining defendants and was acting within the course, scope,
13 and purpose of said agency and employment.

14 5. The amount in controversy exceeds \$25,000.00, and thus exceeds the minimum
15 jurisdictional amount of the unlimited jurisdiction of the Superior Court of the State of California.

16 6. Plaintiff is informed and believes, and based thereon alleges, that at all times
17 mentioned herein, defendants COSTCO WHOLESALE CORPORATION and DOES 1 through 25,
18 inclusive, owned, constructed, possessed, leased, maintained, supervised, designed, inspected,
19 repaired, serviced, and controlled the Costco Wholesale retail store located at 27220 Heather
20 Ridge, Laguna Niguel, California 92677 [hereinafter referred to as "The Store"].

21 7. On or about December 13, 2021, plaintiff SARA ORTIZ was walking in The Store,
22 when she slipped on wet slippery substance that was lying on the floor of The Store. When plaintiff
23 slipped, she fell to the ground sustaining serious personal injuries.

FIRST CAUSE OF ACTION

NEGLIGENCE

(Against all Defendants)

27 8. Plaintiff incorporates all allegations of this Complaint and re-alleges them as though
28 they were fully set forth herein.

1 9. On or about December 13, 2021, defendants COSTCO WHOLESALE
2 CORPORATION and DOES 1 through 25, inclusive, owned, constructed, possessed, leased,
3 maintained, supervised, designed, inspected, repaired, serviced, and controlled a building and
4 business located at 27220 Heather Ridge, Laguna Niguel, California 92677.

5 10. Plaintiff is informed and believes and based thereon alleges that the defendants
6 COSTCO WHOLESALE CORPORATION and DOES 1 through 25, inclusive, owed a duty to
7 plaintiff to use ordinary care in the design, construction, ownership, management, control,
8 maintenance, repair, cleaning, and servicing of the property.

9 11. Plaintiff is informed and believes, and based thereon alleges that the defendants
10 COSTCO WHOLESALE CORPORATION and DOES 1 through 25, inclusive, breached their duty
11 owed to plaintiff when they so negligently and carelessly owned, constructed, possessed,
12 maintained, repaired, supervised, designed, cleaned, serviced, inspected, and controlled the above-
13 described store, so as to create, maintain, or cause to be maintained an unsafe, defective and
14 dangerous condition of said premises.

15 12. The building and business had been maintained in such a negligent manner by
16 defendants COSTCO WHOLESALE CORPORATION and DOES 1 through 25, inclusive, so as to
17 create and leave a wet slippery floor accessible to customers in The Store, which ultimately created
18 a substantial risk of injury when used in a reasonably foreseeable manner.

19 13. Plaintiff is informed and believes, and based thereon alleges that said negligence,
20 carelessness, unsafe, defective and dangerous conditions had either been created by defendants
21 COSTCO WHOLESALE CORPORATION and DOES 1 through 25, inclusive, or existed for such
22 a period of time immediately preceding the happening of said incident, so that persons of ordinary
23 prudence and in the position of the defendants, knew, or should have known, of the defective and
24 dangerous conditions, and in the exercise of ordinary care would have had a reasonable opportunity
25 to remedy same prior to the happening of said incident herein alleged.

26 14. Plaintiff is informed and believes and based thereon alleges that defendants
27 COSTCO WHOLESALE CORPORATION and DOES 1 through 25, inclusive, and each of them,
28 had actual and/or constructive notice of the dangerous condition of the wet slippery floor where the

1 incident occurred in sufficient time to correct the dangerous condition prior to the date of injuries to
2 plaintiff.

3 15. Plaintiff is informed and believes and based thereon alleges that the defendants
4 COSTCO WHOLESALE CORPORATION and DOES 1 through 25, inclusive, after having notice
5 of the presence of said negligent, careless, unsafe, defective, and dangerous condition as set forth
6 above, negligently and carelessly failed and omitted to repair, replace or remedy same within a
7 reasonable time, and negligently and carelessly failed to repair same or take precautions to prevent
8 injuries to those persons using the aforementioned area with due care, in a manner that was
9 reasonably foreseeable that it would be used.

10 16. The incident and injuries hereinafter alleged by plaintiff were proximately caused by
11 the negligence and carelessness of the defendants, and each of them, for causing and permitting
12 such negligent, careless, unsafe, defective, and dangerous condition to remain, failing to take
13 reasonable precautions to prevent the injuries to plaintiff, or to warn her of the conditions of which
14 plaintiff had no knowledge.

15 17. As a proximate result of defendants' COSTCO WHOLESALE CORPORATION
16 and DOES 1 through 25, inclusive, negligent and careless conduct, plaintiff GABRIEL RAEY was
17 seriously injured when she slipped on a wet slippery floor of The Store, which caused her to slip
18 and fall to the ground.

19 18. As a further direct and proximate result of the aforementioned said acts, omissions,
20 as well as the negligent and careless conduct of defendants COSTCO WHOLESALE
21 CORPORATION and DOES 1 through 25, inclusive, as aforesaid, and by reason of the dangerous
22 condition, plaintiff sustained serious personal injuries.

23 19. As a direct and proximate result of the aforementioned said acts, omissions, as well
24 as the negligent and careless conduct of defendants COSTCO WHOLESALE CORPORATION
25 and DOES 1 through 25, inclusive, plaintiff sustained damages, and in the future will sustain
26 injuries and damages in a sum to be specified according to law:

27 A. General damages for both physical and psychological injuries the exact nature
28 and extent of which are unknown at this time;

- 1 B. Special damages for medical, x-ray, hospital, nursing, ambulance, sundry and/or
2 miscellaneous expenses in the examination, care, treatment of plaintiff's injuries,
3 the exact nature and extent of which are unknown at this time;
- 4 C. Loss of income and earnings, and income and earning capacity.

5 **SECOND CAUSE OF ACTION**

6 **PREMISES LIABILITY**

7 **(Against all Defendants)**

8 20. Plaintiff incorporates all allegations of this Complaint and re-alleges them as though
9 they were fully set forth herein.

10 21. On or about December 13, 2021, defendants COSTCO WHOLESALE
11 CORPORATION and DOES 1 through 25, inclusive, owned, constructed, possessed, leased,
12 maintained, supervised, designed, inspected, repaired, serviced, and controlled a building and
13 business located at 27220 Heather Ridge, Laguna Niguel, California 92677.

14 22. On or about December 13, 2021, plaintiff SARA ORTIZ was a customer and
15 business invitee of defendants COSTCO WHOLESALE CORPORATION and DOES 1 through 25
16 at The Store located at 27220 Heather Ridge, Laguna Niguel, California 92677.

17 23. Plaintiff is informed and believes and based thereon alleges that the defendants
18 COSTCO WHOLESALE CORPORATION and DOES 1 through 25, inclusive, owed a duty to
19 plaintiff to use ordinary care in the design, construction, ownership, management, control,
20 maintenance, repair, cleaning, and servicing of the property.

21 24. The building and business had been maintained in such a dangerous manner by
22 defendants COSTCO WHOLESALE CORPORATION and DOES 1 through 25, inclusive, so as to
23 allow a wet slippery floor to remain wet, which ultimately created a substantial risk of injury when
24 used in a reasonably foreseeable manner.

25 25. Plaintiff is informed and believes, and based thereon alleges that said negligence,
26 carelessness, unsafe, defective, and dangerous conditions had either been created by defendants
27 COSTCO WHOLESALE CORPORATION and DOES 1 through 25, inclusive, or existed for such
28 a period of time immediately preceding the happening of said incident, so that persons of ordinary

1 prudence and in the position of the defendants, knew, or should have known, of the defective and
2 dangerous conditions, and in the exercise of ordinary care would have had a reasonable opportunity
3 to remedy same prior to the happening of said incident herein alleged.

4 26. Plaintiff is informed and believes and based thereon alleges that defendants
5 COSTCO WHOLESALE CORPORATION and DOES 1 through 25, inclusive, and each of them,
6 had actual and/or constructive notice of the dangerous condition of the wet slippery floor where the
7 incident occurred in sufficient time to correct the dangerous condition prior to the time of injuries
8 to plaintiff.

9 27. Plaintiff is informed and believes and based thereon alleges that the defendants
10 COSTCO WHOLESALE CORPORATION and DOES 1 through 25, inclusive, after having notice
11 of the presence of said negligent, careless, unsafe, defective, and dangerous condition as set forth
12 above, negligently and carelessly failed and omitted to repair, replace or remedy the same within a
13 reasonable time, and negligently and carelessly failed to repair the same or take precautions to
14 prevent injuries to those persons using the aforementioned area with due care, in a manner that was
15 reasonably foreseeable that it would be used.

16 28. The incident and injuries hereinafter alleged by plaintiff were proximately caused by
17 the negligence and carelessness of the defendants, and each of them, for causing and permitting
18 such negligent, careless, unsafe, defective, and dangerous condition to remain, failing to take
19 reasonable precautions to prevent the injuries to plaintiff, or to warn her of the conditions of which
20 plaintiff had no knowledge.

21 29. As a proximate result of defendants, COSTCO WHOLESALE CORPORATION
22 and DOES 1 through 25, inclusive, negligent, and careless conduct, plaintiff, SARA ORTIZ was
23 seriously injured when she slipped on a wet slippery floor, which caused her to slip and fall to the
24 ground.

25 30. As a further direct and proximate result of the aforementioned said acts, omissions,
26 as well as the negligent and careless conduct of defendants COSTCO WHOLESALE
27 CORPORATION and DOES 1 through 25, inclusive, as aforesaid, and by reason of the dangerous
28 condition, plaintiff sustained serious personal injuries.

1 31. As a direct and proximate result of the aforementioned said acts, omissions, as well
2 as the negligent and careless conduct of defendants COSTCO WHOLESALE CORPORATION
3 and DOES 1 through 25, inclusive, plaintiff sustained damages, and in the future will sustain
4 injuries and damages in a sum to be specified according to law:

5 A. General damages for both physical and psychological injuries the exact nature
6 and extent of which are unknown at this time;

7 B. Special damages for medical, x-ray, hospital, nursing, ambulance, sundry and/or
8 miscellaneous expenses in the examination, care, treatment of plaintiff's injuries,
9 the exact nature and extent of which are unknown at this time;

10 C. Loss of income and earnings, and income and earning capacity.

PRAYER FOR DAMAGES

12 WHEREFORE, plaintiff prays for judgment against defendants, and each of them, as
13 follows:

14 1. For general and special damages to be specified as required by law;

15 2. For loss of earnings and income, as well as impairment of earning capacity and

16 income according to proof;

17 3. For costs of suit incurred herein;

18 4. For such other and further relief as the Court may deem just and proper.

DATED: March 23, 2022

GILBERT & STERN LLP

BY.

~~JEREMY F. GRAYNOR~~
Attorneys for Plaintiff
SARA ORTIZ

| | | | |
|---|--|--|--|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Daniel M. Gilbert (216424); Kelley J. Lazarovits (251627) Gilbert & Stern LLP 1888 Century Park East, Suite 1550 Los Angeles, California 90067 TELEPHONE NO.: 310.553.0350 | | FOR COURT USE ONLY | |
| ATTORNEY FOR (Name): Plaintiff Sara Ortiz | | | |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF Orange STREET ADDRESS: 700 W. Civic Center Dr. MAILING ADDRESS: same as above CITY AND ZIP CODE: Santa Ana, California 92701 BRANCH NAME: Central Justice Center | | | |
| CASE NAME: Ortiz v. Costco Wholesale Corporation | | | |
| CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited <input type="checkbox"/> Limited (Amount demanded exceeds \$25,000) <input type="checkbox"/> (Amount demanded is \$25,000 or less) | | Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402) | CASE NUMBER: 30-2022-01251578-CU-PO-CJC |
| | | | JUDGE: Judge Deborah Servino DEPT: |

Items 1-6 below must be completed (see instructions on page 2).

| | | |
|---|--|---|
| 1. Check one box below for the case type that best describes this case: | | |
| Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input checked="" type="checkbox"/> Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15) | Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39) | Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43) |

2. This case is is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

- Large number of separately represented parties
- Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
- Substantial amount of documentary evidence
- Large number of witnesses
- Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
- Substantial postjudgment judicial supervision

3. Remedies sought (check all that apply): a. monetary b. nonmonetary; declaratory or injunctive relief c. punitive

4. Number of causes of action (specify): 2

5. This case is is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: March 23, 2022

Jeremy F. Graynor

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check one box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

Auto Tort

Auto (22)–Personal Injury/Property
Damage/Wrongful Death
Uninsured Motorist (46) (*if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

Asbestos (04)
Asbestos Property Damage
Asbestos Personal Injury/
Wrongful Death
Product Liability (*not asbestos or toxic/environmental*) (24)
Medical Malpractice (45)
Medical Malpractice–
Physicians & Surgeons
Other Professional Health Care
Malpractice
Other PI/PD/WD (23)
Premises Liability (e.g., slip
and fall)
Intentional Bodily Injury/PD/WD
(e.g., assault, vandalism)
Intentional Infliction of
Emotional Distress
Negligent Infliction of
Emotional Distress
Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

Business Tort/Unfair Business
Practice (07)
Civil Rights (e.g., discrimination,
false arrest) (*not civil
harassment*) (08)
Defamation (e.g., slander, libel)
(13)
Fraud (16)
Intellectual Property (19)
Professional Negligence (25)
Legal Malpractice
Other Professional Malpractice
(*not medical or legal*)
Other Non-PI/PD/WD Tort (35)

Employment

Wrongful Termination (36)
Other Employment (15)

CASE TYPES AND EXAMPLES**Contract**

Breach of Contract/Warranty (06)
Breach of Rental/Lease
Contract (*not unlawful detainer or wrongful eviction*)
Contract/Warranty Breach–Seller
Plaintiff (*not fraud or negligence*)
Negligent Breach of Contract/
Warranty
Other Breach of Contract/Warranty
Collections (e.g., money owed, open
book accounts) (09)
Collection Case–Seller Plaintiff
Other Promissory Note/Collections
Case
Insurance Coverage (*not provisionally complex*) (18)
Auto Subrogation
Other Coverage
Other Contract (37)
Contractual Fraud
Other Contract Dispute

Real Property

Eminent Domain/Inverse
Condemnation (14)
Wrongful Eviction (33)
Other Real Property (e.g., quiet title) (26)
Writ of Possession of Real Property
Mortgage Foreclosure
Quiet Title
Other Real Property (*not eminent
domain, landlord/tenant, or
foreclosure*)

Unlawful Detainer

Commercial (31)
Residential (32)
Drugs (38) (*if the case involves illegal
drugs, check this item; otherwise,
report as Commercial or Residential*)

Judicial Review

Asset Forfeiture (05)
Petition Re: Arbitration Award (11)
Writ of Mandate (02)
Writ–Administrative Mandamus
Writ–Mandamus on Limited Court
Case Matter
Writ–Other Limited Court Case
Review
Other Judicial Review (39)
Review of Health Officer Order
Notice of Appeal–Labor
Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

Antitrust/Trade Regulation (03)
Construction Defect (10)
Claims Involving Mass Tort (40)
Securities Litigation (28)
Environmental/Toxic Tort (30)
Insurance Coverage Claims
(*arising from provisionally complex
case type listed above*) (41)

Enforcement of Judgment

Enforcement of Judgment (20)
Abstract of Judgment (Out of
County)
Confession of Judgment (*non-domestic relations*)
Sister State Judgment
Administrative Agency Award
(*not unpaid taxes*)
Petition/Certification of Entry of
Judgment on Unpaid Taxes
Other Enforcement of Judgment
Case

Miscellaneous Civil Complaint

RICO (27)
Other Complaint (*not specified
above*) (42)
Declaratory Relief Only
Injunctive Relief Only (*non-harassment*)
Mechanics Lien
Other Commercial Complaint
Case (*non-tort/non-complex*)
Other Civil Complaint
(*non-tort/non-complex*)

Miscellaneous Civil Petition

Partnership and Corporate
Governance (21)
Other Petition (*not specified
above*) (43)
Civil Harassment
Workplace Violence
Elder/Dependent Adult
Abuse
Election Contest
Petition for Name Change
Petition for Relief From Late
Claim
Other Civil Petition